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Ken Weber Esq.  
Townsend and Townsend and Crew  
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Sir,

I received your FedEx package with the "new" saspB patent (same as the old saspB patent). I received it on Christmas Eve. Thanks a lot for ruining my holidays. As an added bonus, you evidently plan to submit this deceptive document on -lo and behold!—my *birthday*! You certainly live up to, and exceed, all the lawyer jokes I've ever heard, Mr. Weber; a sterling example of your kind!

I will not sign the documents you sent me. I already signed a virtually identical U.S. Application in June of 2000. What's more, the vast majority of the body of this document was prepared by me for filing by LBNL as a Provisional Application in June of 1999. There have been repeated investigations as to the rightful inventors of this same IP, and LBNL maintained that I was sole inventor of the IP in this "new" patent. I have even endured, and won, a Scientific Misconduct investigation regarding the issue of inventorship of this same IP.

Not only is the modification of this pending patent, by the addition on 'gratuitous' inventors, *deceptive*, but you have erred by revealing IP previously unknown to most of these parties. You have violated the previous (pending) patent!

Finally, there is no indication in the documentation I received from you WHO, exactly, you represent. In actual fact you clearly represent Terrance Leighton, although it is unclear who is paying the bill...LBNL? UCB? There is no indication who will actually own this "new"-same-as-the-old patent. So I have several grounds on which to refuse to sign.

I will be in contact with the U.S. Patent Office about this and related issues.

Happy New Year, Mr. Weber. You are probably delighted that this will not be an open-and-shut case. Lots of hours, lots of hours; wasn't that your delighted reply to Dr. Hunter-Cevera when she described to you some of the history of this IP to date? That you saw it as meaning only that you'd rack up lots of hours? And, hey, it's only taxpayer money anyway, right?

Sincerely,  
Nancy McKinney

